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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/449,021	11/24/1999	HELMUT EMMELMANN	373-02	5718

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EXAMINER

KENDALL, CHUCK O

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/449,021	EMMELMANN, HELMUT	
	Examiner	Art Unit	
	Chuck Kendall	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/30/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 8, 22 - 33, 41 - 43, 51 - 96 and 114 - 127 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 8, 22 - 33, 41 - 43, 51 - 96 and 114 - 127 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) See Continuation Sheet are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims subject to restriction and/or election requirement are Claims 9 - 21, 34 - 40, 44 - 50 & 97 - 113.

DETAILED ACTION

Response to Amendment

1. This Office Action is the response to the communication received on 04/30/2004. Reconsideration of the instant application is requested by Applicant. All such supporting documentation has been placed of record in the file. Claims 9 – 21, 34 – 40, 44 – 50 & 97 – 113, have been withdrawn from consideration and claims 1 – 8, 22 – 33, 41 – 43, 51 – 96 and 114 – 127 are pending in this application.

Claim Objections

2. Claim 73 is objected to because of the following informalities: Improper sentence syntax. Claim is missing a word. Claim reads "...system of claim 59 the editor program further...". The claim should read and is interpreted to read system of claim 59 wherein, the editor program. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 83 recites the limitation "final application" on the last line of claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 26, 27, 30 – 33, 43, 67, 69, 71 & 72 are rejected under 35 U.S.C. 102(e) as being anticipated by Truong USPN 6,151,609.

Regarding claim 26, Truong anticipates a system to modify documents on a server in a data network which couples said server computer to a client computer, the server computer comprising:

a document store (3:27 – 30);

a first program (3:32, see parser program) including instructions for transforming a first document retrieved from the document store (3:30 – 35, see editor input form) into a second document having features which permit editing of the first document such that at least a part of the second document appears and functions similar to the first document and (3:35 – 38, see editor selection form);

a second software program including instructions to receive information from the client computer and instructions to modify documents stored in the document (3:35 – 38, see parser of client).

Regarding claim 27, the system of claim 26 wherein the first document includes at least one component being executed by the first software program (8: 13 – 15).

Regarding claim 30, the system of claim 26, wherein the features are scripts (Truong, 7:1-5).

Regarding claim 31, the system of claim 30, wherein the scripts encapsulate information from the first document (Truong, 9: 15 – 20).

Regarding claim 32, the system as in claim 26, wherein the features incorporate information regarding the first document into the second document (Truong, 9:10-15).

Regarding claim 33, a system as in claim 32, wherein the information incorporated into the second document is used on the client computer in order to send change requests for the first document to the server (Truong, 7:10-30).

Regarding claim 43, a system as in claim 26, additionally comprising at least one script for automatic download to the client that works in cooperation with the second document to permit editing of the first document (3:30 – 40, see parser and editor selection form, also see 9: 18, for JavaScript).

Regarding claim 67, see reasoning in claim (Truong, 8:39-50).

Regarding claim 69, the software development system of claim 68, wherein the editor uses the edit information to correctly modify the dynamic web document (3:35 – 38, see editor selection form).

Regarding claim 71, the software development system of claim 59, wherein the editor uses a web browser for displaying said view (Truong, 8:39-50).

Regarding claim 72, the software development system of claim 71, wherein first instructions comprise seventh instructions for initiating a reload in the browser [Truong, 7:59-67].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 – 8, 22 – 25, 28, 29, 41, 42, 51 – 66, 68, 70, 74 – 96, 114 – 127 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Truong USPN 6,151,609, in view of D'Arlach et al. USPN 6,026,433.

Regarding claims 1, 90, 114 and 125, Truong discloses a software development system for applications that run on a data network which couples a server computer and a client computer, wherein the client computer runs a browser program, comprising:

a page generator running an application being developed and sending generated documents to the browser for display as pages including additional editing features for interpretation by the browser program (Truong, 10:45-50). Truong doesn't explicitly disclose an editor capable of directly operating on the documents displayed by the browser thereby allowing the user to work on a functional application during development. However, D'Arlach does disclose in analogous art, creating or editing a working copy of a user's site with the option of publishing the updated modified page or creating a new user web site (5: 15 – 25). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Truong and D'Arlach because, it would enable a working copy or user web page to be modified dynamically.

Regarding Claim 2, Truong discloses all the claimed limitations as applied in claim 1 including a plurality of components (2:1 – 5, for components see text boxes, buttons) and editor provides features to insert, modify and delete a component (10:47-50). Truong doesn't explicitly disclose wherein developed applications comprising document templates or editing components on templates and executing components on page templates. However, D'Arlach does disclose analogous art the use of document templates for modifying and creating a working copy of a new user sites, as well as containing customizable components in the template (5: 25 – 45). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Truong with D'Arlach to implement the instant claimed invention because,

using templates would enable users to create and maintain a Web site easily and efficiently (D'Arlach, 4: 60 – 63).

Regarding Claim 3, a software development system as claimed in claim 2, wherein at least one of the components reacts interactively on user input by executing instructions on the server (Truong, 2:1 – 5).

Regarding claim 4, D'Arlach further discloses a software development system as in claim 3, wherein at least one of the components contains at least one other component (D'Arlach, 4: 63 – 65, see attributes and properties).

Regarding claim 5, D'Arlach further discloses a software development system as in claim 3, wherein the set of components on pages generated from at least one page template can vary for different of said page template (D'Arlach FIGURE 5,506).

Regarding claims 6, Truong discloses, a software development system for use in a data network which couples a server computer to a client computer, wherein the client computer includes a first software program for generating a request for one or more documents from the server computer and for displaying documents (Truong, 1: 65-67, 2:1-10, & 17-30), and wherein the server computer includes a second software program for receiving and processing the request from the client computer (Truong fig3, 3b 160, 10:45-50) for generating and storing documents, and for transmitting documents to the client computer in response to requests, the server computer further comprising (Truong, 5:60-65) data store (fig 3c, 128), a plurality of components residing in the data store, including components that react interactively on user input (Truong, 2:1-5) by executing instructions on the server. Truong doesn't explicitly disclose a plurality of document templates residing in the data store, at least one document template and a third program selecting a document template based on the request from the client computer and instructions for generating a document from the document template for transmission to the client computer. However, D'Arlach does disclose in an analogous art a template database as well as style templates (5: 33 – 35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify Truong with D'Arlach to implement the instant claimed invention because, the use of templates would make customizing and maintaining web pages more efficient.

Regarding claim 7, which cites similarly to claim 5, see reasoning above as previously discussed.

Regarding Claim 8, the development system of claim 6, wherein a component is nested within a component (4: 60 – 65, for nested within component see, templates, components within them templates and objects/properties or attributes within the component).

Regarding claim 22, a computer running an application to develop and maintain applications using a web browser, comprising:

an editor operable with the web browser for inserting, deleting, and modifying component document templates (Truong, 11:17 – 20); and

a document generator for processing document templates, executing components and for generating documents from the document templates that are understandable by the web browser (Truong, 10:45-50).

Regarding claim 23, a computer as in claim 22, wherein the editor operates functional applications in an edit mode permitting editing directly in the web browser (Truong 2:1 – 5 & 10:45 – 50).

Regarding claim 24, a computer as in claim 23 wherein at least one of the components contains instructions and can react on subsequent document requests containing user responses by executing selected instructions (Truong, 10:45 – 50).

Regarding claim 28, Truong discloses all the claimed limitations as applied in claim 27 above. Truong doesn't explicitly disclose wherein the second document includes handles and choosing one the handles selects a component for an editing operation. However, D'Arlach does disclose in an analogous art, selecting and editing templates which include editable components and objects (3:33 – 45). Therefore, it would have been obvious to one of ordinary skill in the art at the time then invention was made to combine, Truong and D'Arlach, because it would enable more efficient customization of objects during editing.

Regarding claim 29, the system of claim 28, wherein at least one handle indicates the position of atleast one component contained in a first document and said editing operation includes modifying the component, deleting, the component, displaying information regarding the component (Truong, 11:17-20).

Regarding claim 41, a software development system as in claim 1, the editor comprising a client part for execution on the client computer (Truong, 3:35 – 38, see editor selection form).

Regarding claim 42, a software development system as in claim 41, wherein the client part comprises instructions that are automatically downloaded from the server prior to editing (Truong, 3:30 – 38, see editor input form and selection form).

Regarding claim 51, see reasoning in claim 6.

Regarding claim 52, the system of claim 51, wherein components include fourth program instructions including steps to generate browser code prior to transmission to the first software program [Truong, 7:1-15].

Regarding claim 53, a system in claim 52 running on a data network, coupling a server computer and a client computer, the first program running on the client computer, the second program running on the server computer [Truong, 7:10-30].

Regarding claim 54, a system in claim 52 wherein second documents include HTML documents with embedded scripts [Truong, 7:1-5].

Regarding claim 55, see reasoning in claim 6.

Regarding claim 56, D'Arlach further discloses, the system of claim 51, further comprising a fifth software program used by the second software program while processing selected document requests, the fifth software program including fifth instructions for generating generated documents from document templates thereby calling fourth program instructions (D'Arlach, FIGURE 5, 506, note: although a fourth and fifth program isn't discloses Prior art shows equivalent function as cited limitation).

Regarding claim 57, the system of claim 56, wherein the generated document includes, if requested in edit mode, edit features for interpretation by the first software program (Truong, 3:30 – 38, see editor input form and edit selection form).

Regarding claim 58, the system of claim 56, further comprising instructions to allow the user to click on the generated document to select items to perform edit functions on (D'Arlach, 10: 15 – 25).

Regarding claim 59, see reasoning in claim 6.

Regarding claim 60, the software development system of Claim 59 running on a data network, which couples a server computer and a client computer, the document generator running on the server computer the editor at least partly running on the client computer (Truong, 7:57 - 8:5).

Regarding claim 61, the software development system of claim 60, further comprising fourth instructions for execution during document generation to collect edit information for use by the editor (Truong, 8:39 – 50).

Regarding claim 62, the software development system of claim 60, wherein the editor uses a web browser for displaying said view (Truong, FIG. 3A, 108)

Regarding claim 63, Truong discloses all the claimed limitations as applied in claim 60 above. Truong doesn't explicitly disclose being able to automatically repeat requesting the document generator to process the dynamic web document if required. D'Arlach does disclose in an analogous art being able to process more templates as required see (D'Arlach, FIGURE, 620). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Truong and D'Arlach because, being able to repeat or re-request content would enable the system to make changes as required by user.

Regarding claims 64, D'Arlach further discloses the software development system of Claim 59 further comprising a plurality of components including at least one component marked on said dynamic web document, and including instructions for use by the document generator to generate browser code (Truong, see 9: 15 – 20, for javascript).

Regarding claim 65, the software development system of claim 64, wherein the editor uses a web browser for displaying said view (Truong, 8:39-50).

Regarding claim 66, see reasoning in claim 2.

Regarding claim 68 see reasoning in claim 61.

Regarding claim 70, see reasoning in claim 64.

Regarding claim 73, D'Arlach further discloses the system of claim 59 the editor program further comprising eighth instructions to display information on at least one element of atleast one dynamic web content, that is replaced during document generation, without requesting the document generator to regenerate the generated document (D'Arlach, 10: 15 – 25)

Regarding claim 74, see reasoning in claim 6.

Regarding claim 75, D'Arlach further discloses the software development system as in claim 74, wherein edit function comprises adding a component, modifying a component, and deleting a component (D'Arlach, 10: 10 – 25, and 50 – 60).

Regarding claim 76, the software development system as in claim 74, wherein tag syntax is used to denote atleast one component on at least one document templates, whereby the tag name identifies the component kind (Truong, 6:57 – 63).

Regarding claim 77, the software development system of claim 74, wherein running on a data network, which couples a server computer and a client computer, the document generator running on the server computer the editor running, at least partly, on the client computer (Truong, 3:35 – 38, see editor selection form);

Regarding claim 78, the software development system as in claim 74, wherein at least one component, that can react interactively on subsequent document requests, can be excluded from the generated document (D'Arlach, 10: 10 – 35).

Regarding claim 79, the software development system as in claim 78, further comprising third instructions to prevent excluded components from reacting on subsequent document requests (Truong, FIG. 3b, 164, and related text).

Regarding claim 80, a software development system as in claim 79, said third instructions comprising fourth instructions to, upon a first document request, store information in session memory on some of the components, that are present on the generated document, and fifth instructions to, upon subsequent document requests, only react on components that have been remembered in session memory there by avoiding tampering with excluded components on the side for the first program

(D'Arlach, Examiner believes this to be equivalent to the storing of the customized template limitation as indicated in 5: 23 –25).

Regarding claim 81, a software development system as in claim 74 wherein at least one first component contains sixth instructions to decide exclusions of components nested inside the first component from the generated document (D'Arlach, 4: 60 – 65, Examiner interprets this limitation to be the customizable template limitation, which would include and exclude certain editable components).

Regarding claim 82, a software development system as in claim 74 the editor able to provide an editable view taking the varying set of components into account (Truong, 3:30 – 35, see editor input form and selection form).

Regarding claim 83, D'Arlach further discloses a software development system as in claim 74, the system able to provide an editable view that includes and excludes selected components similarly as the final application (D'Arlach, 4: 60 – 65, Examiner interprets this limitation to be the customizable template limitation, which would include and exclude certain editable components).

Regarding claim 84, see claim 4 for reasoning.

Regarding claim 85, D'Arlach further discloses the software development system as in claim 74, wherein multiple instances of a third component denoted on the document template can be included in the generated document (D'Arlach, 6: 35 – 45).

Regarding claim 86, development system as in claim 85, further comprising seventh instructions to assign a unique identifier to each component instance, whereby the third component includes eighth instruction to qualify names generated into the browser code with the unique identifier (Truong, 8:20-35).

Regarding claim 87, D'Arlach further discloses a software development system as in claim 74, wherein at least one fourth component contains ninth instructions to decide about how many instances of components nested inside the fourth component are included into the generated document (D'Arlach, 4: 40 – 35 see request for specified action which Examiner interprets to be equivalent to number of instances of components netsted, since the templates already a default set of

components and a request from the client would involve altering, adding and deleting those components to customize it to the clients needs).

Regarding claim 88, see reasoning in claim 85.

Regarding claim 89, D'Arlach further discloses a software development system as in claim 74, wherein at least one sixth component includes tenth instructions to display the sixth component, the tenth instruction being used to generate the browser code for displaying the sixth component during editing as well as during normal use of the component (FIGURE 6, 604 also see related text, Examiner interprets this limitation to be equivalent function as components in D'Arlach's figure).

Regarding claim 90, an editor for use with a web browser, the editor allowing the user to edit atleast one document displayed by the browser, (Truong, 1: 65 - 67,2:1 - 10, & 17 - 30);

wherein scripts contained in said document staying functional (Truong, 7:1-5), the editor comprising a first software program for execution within the browser and for processing selected clicks on the view of said document displayed in the browser by initiating editing functions [Truong, 10:45 - 50].

Regarding claim 91, the editor as in claim 90 using at least two windows, a first browser window displaying said document and a second window for displaying information on an element contained in said document (Truong, 6:55-65).

Regarding claim 92, the editor in claim 90 further comprising a second software program for modifying said, documents in cooperation with the first software program [10:45-50].

Regarding claim 93, the editor as in claim 92 further comprising a third program for transforming the document into a generated document, the browser displaying the generated document as said view looking similar to the original and interpreting editing features contained in the generated document [Truong, 7:20 - 30].

Regarding claim 94, editor in claim 93 wherein said document is a dynamic document having components denoted thereon, the third software program further

comprising instructions for generating browser code in cooperation with selected components (Truong, 2:1 – 10).

Regarding claim 95, the editor as in claim 94 wherein the browser together with the first software program is running on a client computer connected to a server computer via a data network, wherein the second and the third software program run on the server computer (Truong, 1: 65-67, 2:1-10, & 17-30).

Regarding claim 96, the editor in claim 90 wherein links contained in said document stay functional allowing the user to browse and edit at the same time (8:39-45).

Regarding 115, the system of claim 114, wherein the first features include fourth program instructions for passing information to the editor (10:55 – 59).

Regarding claim 116, system of claim 115 wherein at least part of said information is collected during execution of the components on the server (7:60 – 67).

Regarding claim 117, system of claim 115 wherein said information is transmitted from the server to the client (7:60-8:5).

Regarding claim 118, system of claim 115 wherein said information includes attributes of said component (figure 5).

Regarding claim 119, system of claim 14, wherein first features include fifth instructions that display additional editing features of the components during editing (10: 45-50).

Regarding claim 120, the system of claim 119, where said editing features include handles (D'Arlach, FIGURE 6, 602 also see related text).

Regarding claim 121, system of claim 114, wherein first features include an extension for use by the editor, said extensions for enabling editing of an attribute value of the components (Truong, 10: 45-50, see editing features).

Regarding claim 122, system of claim 121 wherein said extension enables display of a page for editing the components attribute values (Truong, 8:65 – 67).

Regarding claim 123, system of claim 114 wherein at least one component is denoted on atleast one document templates using tag syntax, whereby the tag name identifies a component kind (Truong, 6:57- 63).

Regarding claim 124, system of claim 114, containing at least one component wherein second program instructions are used to generate browser code for displaying the component during editing and during normal uses (8:65-67).

Regarding claim 126, method of claim 125, wherein the running the step and the displaying step are repeated after applying a modification function (10: 45-50, see editing features).

Regarding claim 127 method of claim 125 further comprising collecting edit information for use by the identifying step (Truong, 8:45 – 52).

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Truong USPN 6,151,609, in view of D'Arlach et al. USPN 6,026,433 and further in view of Popp et al. USPN 6,651,108.

Regarding claim 25, Truong as modified by D'Arlach discloses all the claimed limitations as applied in claim 24 above. The combination of Truong and D'Arlach doesn't explicitly disclose a store of component classes, each component class implementing one component kind wherein the document generator works upon a document request using component classes. However, Popp does disclose in analogous art using HTML templates and classes to generate HTML pages (3: 15 – 40), in a similar configuration. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Truong, and D'Arlach with Popp because, the use of classes in an OO environment is a general practice and has been for years and would enable OO functionality and processing during Web development, hence making the web pages more compatible and user friendly.

Response to Arguments

9. Applicant's arguments with respect to claims 1 – 8, 22 – 33, 41 – 43, 51 – 96 and 114 – 127 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence Information

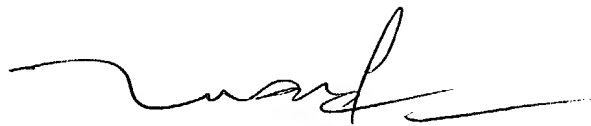
10. Any inquires concerning this communication or earlier communications from the examiner should be directed to Chuck O. Kendall who may be reached via telephone at (703) 308-6608. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached at (703) 305-4552.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

For facsimile (fax) send to 703-7467239 official and 703-7467240 draft.

CK.



TUAN DAM
SUPERVISORY PATENT EXAMINER